

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. CR08-428-RSL

Plaintiff,

v.

SAUL ALEXI CORTES,

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

Defendant.

An initial hearing on a Petition for Violation of Supervised Release and a Supplemental Violation Report was held before the undersigned Magistrate Judge on June 30, 2010. The United States was represented by Assistant United States Attorneys Tessa Gorman and the defendant by Lynn Hartfield.

The defendant had been charged and convicted of Possession with Intent to Distribute more than 500 grams of Cocaine, in violation of 21 U.S.C. §§ 841(a)(1), 841 (b)(1)(B) and 18 U.S.C. § 2. On or about July 16, 2007, defendant was sentenced in the Southern District of Texas by the Honorable Hilda G. Tagle, to a term of thirty-four months in custody, to be followed by three years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special

1 conditions imposed included, but were not limited to, participation in a substance abuse
2 programs, financial disclosure, alcohol abstinence, search, no association with known gang
3 members, and obtain his GED within the first 2 years of supervision.

4 In a Petition for Warrant or Summons for Offender Under Supervision dated June 1,
5 2010, U.S. Probation Officer Jerrod Akins asserted the following violations by defendant of the
6 conditions of his supervised release:

- 7 1. Consuming marijuana on or before May 13, 2010, in violation of standard
8 condition No. 7.
- 9 2. Consuming Percocet (opiates) on or before May 25, 2010, in violation of
10 standard condition No. 7.
- 11 3. Consuming alcohol on or before May 25, 2010, in violation of standard
12 condition No. 7.

13 In a Supplemental Violation Report, dated June 17, 2010, U.S. Probation Officer Jerrod
14 Akins asserted the following violations by defendant of the conditions of his supervised
15 release:

- 16 4. Consuming methamphetamines on June 5, 2010, in violation of standard
17 condition No. 7.
- 18 5. Consuming marijuana on or before June 7, 2010, in violation of standard
19 condition No. 7.
- 20 6. Consuming cocaine on or before June 7, 2010, in violation of standard
21 condition No. 7.
- 22 7. Associating with a convicted felon, Phillip Hopson, without permission, in
23 violation of standard condition No. 9.
- 24 8. Associating with a person engage in criminal activity, Priscilla Arkinson, in
25 violation of standard condition No. 9.

9. Committing the crime of Theft 3rd degree, in violation of the general condition that he not commit another federal, state, or local crime.

The defendant was advised of his rights, acknowledged those rights, and admitted to alleged violations 1, 2, 3, 4, 5 and 6. Defendant denied alleged violations 7, 8 and 9, and requested that an evidentiary hearing be set on the same day as a disposition hearing before the Honorable Robert S. Lasnik on the alleged violations.

I therefore recommend that the Court find the defendant to have violated the terms and conditions of his supervised release as to violations 1, 2, 3, 4, 5 and 6 and that the Court conduct an evidentiary/disposition hearing on alleged violations 7, 8, and 9. A disposition hearing on violations 1, 2, 3, 4, 5, and 6, and an evidentiary/disposition hearing on alleged violations 7, 8 and 9, has been set for July 22, 2010 at 10:00 a.m. before the Honorable Robert S. Lasnik.

Pending a final determination by the Court, the defendant has been detained.

DATED this 30th day of June, 2010.

James P. Donohue

JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: Honorable Robert S. Lasnik
AUSA: Tessa Gorman
Defendant's attorney: Lynn Hartfield
Probation officer: Jerrod Akins